

October 06, 2010

CLERK, U.S. BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA

0002979923

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UNITED STATES BANKRUPTCY COURT

EASTERN DISTRICT OF CALIFORNIA

In re

Bk. No. 10-36552-A-7

SERGEY P. IVANTSOV

Motion No. PPR-1

CHAPTER 7

Debtor.

Hearing-

Date : October 4, 2010

Time : 9:00 a.m.

Place : U.S. Bankruptcy Court

501 I Street

Sacramento, CA

Courtroom 28 Dept. A

Judge: Michael S. McManus

GEOFFREY RICHARDS,

Trustee,

_____/

ORDER FOR RELIEF FROM AUTOMATIC STAY

It appearing that neither the Debtor nor the Chapter 7 Trustee has any opposition to Movant's Motion for Relief from Automatic Stay, and with good cause appearing therefore, the Court makes its Order as follows:

IT IS HEREBY ORDERED that the Automatic Stay in the above entitled Bankruptcy proceeding did not go into effect by operation of 11 U.S.C. Section 362(c)(4)(A)(ii) on June 24, 2010 as to U.S. Bank, N.A., its assignees and/or successors in interest ("Movant" herein), and Movant, its assignees and/or successors in interest may proceed with foreclosure of

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1 the subject Property generally described as **9088 Pershing Avenue, Orangevale California,**
2 pursuant to applicable statutory law, and thereafter commence any action necessary to obtain
3 complete possession thereof.

4 IT IS FURTHER ORDERED that, because it appears the value of the collateral
5 does not exceed Movant's claim, Movant is not awarded attorneys' fees and costs for the
6 Motion.

7 IT IS FURTHER ORDERED that this bankruptcy proceeding has been finalized
8 for purposes of Cal. Civil Code Section 2923.5 and the enforcement of the note and deed of trust
9 described in the motion against the subject real property. Further, upon entry of this order
10 granting relief from the automatic stay, the movant and its successors, assigns, principals, and
11 agents shall comply with Cal. Civil Code Section 2923.52 et seq., the California Foreclosure
12 Prevention Act, to the extent it is otherwise applicable.

13 IT IS FURTHER ORDERED that entry of this order shall be deemed to
14 constitute relief from the automatic stay as to any interest the Chapter 7 Trustee may have in the
15 subject Property.

16 IT IS FURTHER ORDERED that the 14-day stay provided by Bankruptcy Rule
17 4001(a)(3) is waived.

18 IT IS FURTHER ORDERED that, if recorded in compliance with applicable
19 state laws governing notices of interest or liens in the Property, this Order is binding and
20 effective under 11 U.S.C. § 362(d)(4)(A) and (B) to prevent the automatic stay from arising in
21 any other bankruptcy case purporting to affect the Property filed not later than two (2) years
22 after the date of entry of this Order, except that a debtor in a subsequent bankruptcy case may
23 move for relief from this Order based upon changed circumstances or for good cause shown,
24 after notice and a hearing. Any federal, state or local governmental unit that accepts notices of
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1 interests or liens in real property shall accept a certified copy of this Order for indexing and
2 recording.

3 Dated: October 06, 2010

By the Court

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5 _____
6 Michael S. McManus
7 United States Bankruptcy Judge
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